

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 284 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE H.H.MEHTA

- =====
1. Whether Reporters of Local Papers may be allowed : YES
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

GLOBAL TRANSPORT CO.PVT.LTD.

Versus

DODSAL LTD.

Appearance:

MR YN OZA Sr.Advocate for MR BP GUPTA for Petitioner
MR NK MAJMUDAR for Respondent No. 1

CORAM : MR.JUSTICE H.H.MEHTA

Date of decision: 14/08/2000

ORAL JUDGEMENT

Rule. Service of Rule is waived by learned
advocate Mr. N.K.Majmudar who appears for the Caveator as
well as respondents.

2. Heard Shri Y.N.Oza, the Senior Advocat for and on

behalf of the appellant and Shri N.K.Majmudar, the learned advocate for the respondents.

3. During the course of arguments, an amicable solution is arrived at by both the parties, as a result of which the respondents shall give an undertaking within one month from today to this court that they will not dispose of the machine which is described as "CK-90" in Para 6.A of Application Ex.6, the order below which is challenged in this Appeal From Order, by transferring its ownership or right, title or interest therein by sale, mortgage, or by any other mode, till final disposal of Summary Civil Suit No. 2949 of 2000 which is pending on the file of the learned Judge, Court No.20 of the City Civil Court, Ahmedabad. Both the parties had admitted that this machine CK-90 is worth Rs. 40 lacs, and therefore, interest of plaintiff will be protected on such undertaking being filed by the respondents, in this court.

4. In view of the above, Shri Y.N.Oza, the Senior Advocate for the appellant seeks permission to withdraw this Appeal from Order No. 284 of 2000, subject to filing of aforesaid undertaking by the respondents within one month from today in this Court. Hence this appeal stands disposed of as withdrawn. Rule is discharged, with no order as to costs.

Date: 14/8/2000. (H.H.MEHTA,J.)

ccshah